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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,069	02/05/2002	David W. McDaniel	062891.0673	1183

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EXAMINER
PATEL, ASHOKKUMAR B

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 11/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Advisory Action ***Before the Filing of an Appeal Brief***	10/072,069	MCDANIEL, DAVID W.
	Examiner	Art Unit	
	Ashok B. Patel	2154	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>26 October 2005</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

      Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

     NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: _____.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See continuation sheet.</u>.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____

13. ☐ Other: _____.

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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

I. Claim Rejections - 35 U.S.C. §102

Applicant's argument:

"Applicant's Claim 1 specifies that, for each packet in a received Stream of packets, the address modification process includes "changing the original destination address to a selected one of a plurality of modified destination addresses." (emphasis added)."

"If for argument's sake this is considered an address modification, this process is not "performed independently from both the first user interface device and the second user interface device," as required by Claim 1.

Examiner's response:

Please refer to Fig. 1 and page 7, line 20-24, wherein Sheymov teaches "FIG. 1 illustrates a simple computer intrusion protection system 10 which operates in accordance with the method of the present invention. Here, <u>a remote user's computer 12</u> is connected to <u>a protected computer 14 by a gateway router or bridge 16</u>. A management system 18 periodically changes the address for the computer 14 by providing a new address from a cyber address book 20 which stores a plurality of cyber addresses. <u>Each new cyber address is provided by the management system 18 to the router 16 and to a user computer address book 22. The address book 22 contains both the alphabetic destination address for the computer 14 which is available to the user and the variable numeric cyber address which is not available to the user.</u> When the user wants to transmit a packet of information <u>with the alphabetic address for the</u>

computer 14, this alphabetic address is automatically substituted for the current numerical cyber address and used in the packet."

Please note that Address book is associated with protected computer 14 and not the remote user's computer 12. The new cyber address is also provided to router which connects computers 12 and 14. Further , Sheymov clearly discloses as stated above, When the user wants to transmit a packet of information with the alphabetic address for the computer 14, this alphabetic **address is automatically** substituted for the current numerical cyber address and used in the packet."

Thus, Sheymov teaches "changing the original destination address to a selected one of a plurality of modified destination addresses and this process is "performed independently from both the first user interface device and the second user interface device," as required by Claim 1.

Applicant's argument:

"Thus, Sheymov does not describe, expressly or inherently, "receiving at a first translation module a stream comprising a plurality of packets . . ., each packet having an original destination address," as required by Claim 1."

Examiner's response:

Please refer to Fig. 1 and page 7, line 20-24, wherein Sheymov teaches "FIG. 1 illustrates a simple computer intrusion protection system 10 which operates in accordance with the method of the present invention.

Applicant's argument:

"Thus, Sheymov does not describe, expressly or inherently, that "each of the selected modified destination addresses is resolvable by the second translation module to the original destination address for forwarding the packet to the second user interface device," as required by Claim 1."

Examiner's response:

Please refer to Fig. 1 and page 7, line 20-24, wherein Sheymov teaches "<u>Each new cyber address is provided by the management system 18 to the router 16 and to a user computer address book 22.</u> The address book 22 contains <u>both the alphabetic destination address for the computer 14 which is available to the user and the variable numeric cyber address which is not available to the user.</u> When the user wants to transmit a packet of information <u>with the alphabetic address for the computer 14, this alphabetic address is automatically substituted for the current numerical cyber address and used in the packet.</u>"

Thus "each of the selected modified destination addresses is resolvable by the second translation module to the original destination address for forwarding the packet to the second user interface device," as required by Claim 1."

B. Claims 10-13 are allowable over Munger:

Applicant's argument:

"Among other aspects, Munger does not disclose a method comprising "negotiating translation parameters . . . comprising an original destination address . . ." and "changing the packet to have the original destination address," as required by Claim 10."

"Thus, Munger does not describe, expressly or inherently, a method comprising "negotiating translation parameters . . . comprising an original destination address . . ." and "changing the packet to have the original destination address," as required by Claim 10.

Examiner's response:

Munger teaches in para. [0108] and [0111], "[0108] In the scalable embodiments, blocks of IP addresses are allocated to each node in the network. (This scalability will increase in the future, when Internet Protocol addresses are increased to 128-bit fields, vastly increasing the number of distinctly addressable nodes). Each node can thus use any of the IP addresses assigned to that node to communicate with other nodes in the network. Indeed, each pair of communicating nodes can use a plurality of source IP addresses and destination IP addresses for communicating with each other." And [0111] When the router receives the client's packet, it compares the send and receive IP addresses of the packet with the next N predicted send and receive IP address pairs and rejects the packet if it is not a member of this set." Please also refer to Para.[[0109] Each communicating pair of nodes in a chain participating in any session stores two blocks of IP addresses, called netblocks, and an algorithm and randomization seed for selecting, from each netblock, the next pair of source/destination IP addresses that will be used to transmit the next message."

Thus Munger teaches negotiating translation parameters . . . comprising an original destination address . . ." and "changing the packet to have the original destination address,

II. Claim Rejections - 35 U.S.C. § 103

Applicant's argument:

"As described above, Applicant has shown that Sheymov fails to disclose all limitations of independent Claims 1, 14, and 20. Accordingly, Sheymov fails to teach or suggest all limitations of Claims 4, 6, 8, 9, 16, 17, 19, 22, 23, and 25 because these dependent claims incorporate the limitations of their respective independent claims. Munger and Challenger fail to remedy the deficiencies of Sheymov."

Examiner's response:

Please refer to the above responses for claim 1.

Applicant's argument:

"Among other aspects, Sheymov and Munger, whether taken alone or in combination, fail to teach or suggest a method "wherein the address modification process is performed independently from both the first user interface device and the second user interface device" as required by Claim 27. As described above, Applicant has shown that Sheymov fails to teach or suggest this limitation."

Examiner's response:

Please refer to the above responses for claim 1.